

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISION
3:19-cv-00342-MR**

BRIAN KEITH ROGERS,)	
)	
Plaintiff,)	
)	
vs.)	<u>SUGGESTION</u>
)	<u>OF MOOTNESS</u>
)	
THOMAS GROSSE, et al.,)	
)	
Defendants.)	
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THIS MATTER is before the Court *sua sponte* on the Plaintiff's filing of a Notice of Appeal [Doc. 17] from this Court's Order [Doc. 14] denying Plaintiff's Motion for Recusal [Doc. 12].

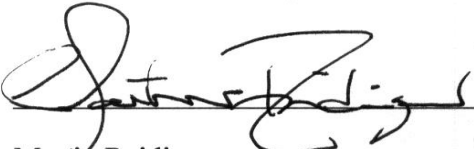
On March 25, 2020, the Court denied Plaintiff's motion to recuse the Honorable Frank D. Whitney, Chief United States District Judge, from presiding over this action. [Doc. 14]. On April 24, 2020, for reasons unrelated to Plaintiff's motion for recusal, this matter was reassigned to the undersigned. [4/24/20 docket entry]. The same day Plaintiff filed a Notice of Appeal from the Court's Order denying his motion for recusal. [Doc. 17]. The Notice of Appeal is dated April 16, 2020. [*Id.* at 2]. On April 30, 2020, the Clerk transmitted the Notice of Appeal to the Fourth Circuit Court of Appeals, which designated the appeal as Case No. 20-6612. [Docs. 18-19].

Because this case has been reassigned despite the denial of Plaintiff's motion for recusal, the Court wishes to ensure that the Court of Appeals is aware that Plaintiff's appeal appears moot. The Court, therefore, enters this Suggestion of Mootness, which the Court will direct be transmitted to the Fourth Circuit Court of Appeals.

IT IS, THEREFORE, ORDERED that this Suggestion of Mootness be transmitted to the Fourth Circuit Court of Appeals for consideration in Plaintiff's appeal in Case No. 20-6612.

IT IS SO ORDERED.

Signed: May 22, 2020


Martin Reidinger
United States District Judge

